1st Councilmanic District Lewis A. Cline

Petitioner * * * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

* BEFORE THE

* DEPUTY ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* Case No. 89-196-A

The Petitioner herein requests a variance to permit an accessory building (garage) outside the one third of the lot farthest removed from any street; a side and rear yard setback of 0 feet in lieu of the required 2 and 1/2 feet; and a setback of 7 feet to the centerline of any alley in lieu of the required 15 feet, all as more particularly described in Petitioner's Exhibit 1.

The Petitioner appeared and testified. There were no Protestants. Based upon the testimony and evidence presented at the hearing, all of which was uncontradicted, in the opinion of the Zoning Commissioner the relief requested sufficiently complies with the requirements of Section 307 of the Baltimore County Zoning Regulations (B.C.Z.R.) and, therefore, should be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety, and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the requested variance should be granted.

ZONNING DESCRIPTION

Election District, Baltimore County, Maryland.

Beginning at the southeast corner of the intersection of Dasiy

Ave. (40 feet wide) and Century Ave. (40 feet wide). Being lots

285 & 286 in the subdivision of English Consul Estates Plat Book W.P.C. 3 Folio 190. Also known as 2701 Dasiy Ave. in the 13th.

2) Petitioner shall not allow or cause the accessory structure to be converted to a second dwelling unit and/or apartment. The proposed garage shall contain no living or sleeping quarters, and no kitchen or

THEREFORE,, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 67 day of December, 1988 that the Petition for Zoning Variance to permit an accessory building (garage) outside the one third of the lot farthest removed from any street; a side and rear yard setback of 0 feet in lieu of the required 2 and 1/2 feet; and a setback of 7 feet to the centerline of any alley in lieu of the required 15 feet, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions, which are conditions precedent to the relief granted:

> 1) The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original

bathroom facilities.

3) Upon request and reasonable notice, Petitioners shall permit a representative of the Zoning Enforcement Division to make an inspection of the subject property to insure compliance with this Order.

> Zoning Commissione: for Baltimore County

*IF PHASE II OF SNOW GENCY PLAN IN EFFECT ON THIS DATE, SE WILL BE RESCH-EDILED. CALL 494-3391 TO CONFIRM DATE.

Zoning Commissioner
Office of Planning & Zoning Towson, Maryland 21204 494-3353 J. Robert Haines

Mr. Lewis A. Cline 2701 Daisy Avenue Baltimore, Maryland 21227

Baltimore County

O O O JRH:bjs

Res Petition for Zoning Variance CASE NUTEER: 89-196-A SEC Daisy Avenue and Century Avenue (2701 Daisy Avenue) 13th Election District - 1st Councilmanic Petitioner(s): Lewis A. Cline HEARING SCHEDULED: MEDNESDAY, NOVEMBER 30, 1988 at 2:00 p.m.*

Dennis F. Rasmussen

Date: //-/5-88

Dear Mr. Cline:

Please be advised that \$\frac{187.36}{2.36}\$ is due for advertising and posting of the above-referenced property. All fees must be paid prior to the hearing. Do not remove the sign and post set(s) from the property from the time it is posted by this office until the day of the hearing itself.

THIS FEE MUST BE PAID AND THE ZONING SIGN(S) AND POST(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Please make your check payable to Baltimore County, Maryland and bring it along with the sign(s) and post(s) to the Zoning Office, County Office

Ruilding Poom 111 Towers Maryland 2120/ fife and (15) minutes before

BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT	No. 058969	post set(s), ther each set not
DATE 11-30-75 ACCOUNT P-C	01-615-000	A Company of the Comp
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B B	e e e e e e e e e e e e e e e e e e e	

VALIDATION OR SIGNATURE OF CASHIER

PINK - A YENCY YELLOW - CUSTOMER

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, focated at 111 W. Chesapeake Avanue in Towson, Maryland as fol-Variance: To permit an accessory building (garage) outside of the third of the lot farthest re of the said of the tot satisfies and moved from any street, a side and rear yard setback of 0 feet, and a 7 ft. to centerline of any alley setback in lieu of the required 2% and 15 test, respectively. ***
"IF PHASE II-OF THE SNOW EMERGENCY PLAN IS IN EF-FECT ON THIS DATE, CASE MAY BE RESCHEFULED. CALL 494-3991 TO COMPRIM DATE. In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertein any request for a stay of the issuance of said permit during this penind for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES

MOTICE OF HEARING

Baltimore County Zoning Commissioner

J. Robert Haines

Office of Planning & Zoning

Mr. Lewis A. Cline

Baltimore, Maryland 21227

(2701 Daisy Avenue)

Case No. 89-196-A

RE: PETITION FOR ZONING VARIANCE

Lewis A. Cline - Petitioner

in accordance with the attached Order.

SE/Corner Daisy Avenue and Century Avenue

13th Election District - 1st Councilmanic District

2701 Daisy Avenue

Dear Mr. Cline:

cc: People's Counsel

December 15, 1988

Enclosed please find a copy of the decision rendered in the

In the event any party finds the decision rendered is unfavor-

above-captioned matter. The Petition for Zoning Variance has been granted

able, any party may file an appeal to the County Board of Appeals within

thirty (30) days of the date of this Order. For further information on

filing an appeal, please contact Ms. Charlotte Radcliffe at 494-3391.

Dennis F. Rasmussen

Towson, Maryland 21204

CERTIFICATE OF PUBLICATION

ROBERT HAINES

Zoning Commissioner

for Baltimore County

TOWSON, MD., November 10, 1988 THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on november 10, 1988.

> Arbutus Times THE JEFFERSONIAN.

5. Zete Orlon

PO 05801 120402 M20402 case 89-196-A price \$72.36

> 89-196-A CERTIFICATE OF POSTING

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District 13 the	Date of Posting Morember 10 1988
District 13 th: Posted for: Variance	
Lewis A. Cline	
ocation of property: 5E/L Daisy arenu	e and Century Avenue Lawy Avenue
(270) Daisy arenue)	<i>y</i>
antion of some on bont, of 2701	Laisy arenue
de signal of sig	
Remarks:	
	Date of return: November 13, 1989
Posted by S.J. Arata Signature	Date of return://
fumber of Signe: /	

ZONING DEPARTMENT OF BALTIMORE COUNTY

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a

Variance from Section 400.1 and 400.2 to permit an accessory building (garage) outside of the third of the lot farthest removed from any street, a side and rear yard setback of 0', and a 7' to centerline of any alley setback in lieu of the required 2½' and 15', respectively

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

I HAVE ANTIBUE CAR AND I NEED THE GARAGE FOR STORAGE. DUE TO THE NARROW YARD I HAVE TO PETITION THE REQUIREMENTS OF THE BALTAMORE COUNTY ZONING REQUIREMENTS.

Property is to be posted and advertised as prescribed by Zoning Regulations. ove Variance advertising, posting, etc., upon filing of this be bound by the zoning regulations and restrictions of Zoning Law For Baltimore County. I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the propertywhich is the subject of this Petition. IMAP SW 5 B Legal Owner(s): LEWIS A-CLING ATE 2149 Suma chi (Type or Print Name) 2701DAISY AV- 636-0822 BALTIMORE MD, 21227 Name, address and phone number of legal owner, contract purchaser or representative to be contacted LEWISA CLING 2701 DAISYAV- 6360822 Attorney's Telephone No.:

ORDERED By The Zoning Commissioner of Baltimore County, this ______day County, on the 30th day of November, 1988, at 2 o'clock

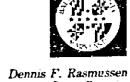
Zoning Commissioner of Baltimore County.

Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 494-3353

J. Robert Haines

NOTICE OF HEARING

October 14, 1998



The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Zoning Variance CASE NUMBER: 89-196-A SEC Daisy Avenue and Century Avenue (2701 Daisy Avenue) 13th Election District - 1st Councilmanic Petitioner(s): Lewis A. Cline HEARING SCHEDULED: MEDNESDAY, NOVEMBER 30, 1988 at 2:00 p.m.* Variance to permit an accessory building (garage) outside of the third of the lot farthest removed from any street, a side and rear yard setback of 0 feet, and a 7 ft. to centerline of any alley setback in lieu of the required 21 and 15 feet,

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

IF PHASE II OF THE SNIW EMERGENCY PLAN IS IN EFFECT IN BALTIMONE COUNTY BY 8:30 a.m. ON THE DATE OF THE ABOVE HEARING, SUCH HEAR-Zoning Commissioner of ING WILL BE POSTPONED AND TENTA-TIVELY RESCHEDULED FOR THURSDAY, DECEMBER 22, 1988. PLEASE TELS-PHONE DOCKET CLERK AT 494-3391

J. ROBERT HAINES

Baltimore County

cc: Lewis A. Cline

TO CONFIRM DATE.

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204

Your petition has been received and accepted for filing this 21st day of September , 1988.

Petitioner's

Received by: James P. Dver
Chairman, Zoning Plans

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

COUNTY OFFICE BLDG. 111 W. Chesapeake Ave. Towson, Maryland 21204

Bureau of

Department of Traffic Engineering

State Roads Commissio

Bureau of Fire Prevention

Health Department

Project Planning

Industrial Development

Building Department Board of Education Zoning Administration

Lewis A. Cline 2701 Daisy Avenue Baltimore, MD 21227

> RE: Item No. 99; Case No. 89-196-A Petitioner: Lewis A. Cline Petition for Zoning Variance

Dear Mr. Cline:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested

Enclosed are all comments submitted form the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

James 4. Dyer/olt JAMES E. DYER Chairman Zoning Plans Advisory Committee

JED:scj Enclosures

S

CENTURY AVE.

208

Mr. J. Robert Haines

Towson, MD 21204

Zoning Commissioner County Office Building

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
Courts Building, Suite 405
Towson, Maryland 21204
494-3554

RECEIVED ZØNING OFFICE DATE: _/0//4/01

October 11, 1988

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 55, 93, 94, 95, 96, 98, 99, 100, & 101.

Very truly yours,

Michael S. Flanigan Traffic Engineer Associate II

MSF:lab

(x) 7. The Fire Prevention Bureau has no comments at this time.

Dennis F. Rasmussen
County Executive

Zoning Agenda: Meeting of 9/20/88

Fire Prevention Bureau

September 28, 1988

/jl

Baltimore County

494-4500

Paul H. Reincke Chief

J. Robert Haines

Towson, MD 21204

Item No.: 99

Fire Department Towson, Maryland 21204-2586

Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building

Re: Property Owner: Lewis A. Cline

of Public Works.

prior to occupancy.

() 6. Site plans are approved, as drawn.

Location: SE corner of Daisy Avenue & Century Avenue

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

() 2. A second means of vehicle access is required for the site.

() 3. The vehicle dead end condition shown at _____

EXCEEDS the maximum allowed by the Fire Department.

4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

() 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code," 1976 edition

() 1. Fire hydrants for the referenced property are required and shall be located at intervals or ____ feet along an approved road in accordance with Baltimore County Standards as published by the Department